

Appn. No.: 09/431,737
Docket No.: 41PR-7349/GEN-96-1165-A

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

2004 DEC 21 11:10:24

Appln. No.: 09/431,737 : Confirmation No.:
Applicant: DON WHITEHEAD et al. : Group Art Unit: 2121
Filed: November 1, 1999 : Examiner: Pham, Thomas K.
Docket No.: 41PR-7349/GEN-96-1165-A :

AN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS

December 16, 2004

REQUEST FOR REFUND

Mail Stop 16
Director of the U.S. Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450

Attn: Refund Section, Accounting Division, Office of Finance

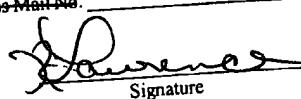
Sir:

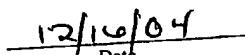
In accordance with 37 CFR 1.26(b), Applicants respectfully request a refund of the fees in the amount of \$770.00, which were charged to Deposit Account No. 06-1130 on October 26, 2004.

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class Mail in an envelope addressed to: Mail Stop 16, Director of the U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450, or facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

K. Lawrence
Name


Signature


Date

On November 1, 1999, Applicant filed the instant application without the basic filing fee.
On June 2, 2000, Applicant filed a Response to Missing Parts, including a check in the amount of \$2,250.00, which included the Basic Filing Fee of \$760. A copy of the check and Transmittal Form is attached hereto as Exhibit A.

On June 16, 2003, Applicant filed a Request for Continued Examination (RCE) with a check in the amount of \$750 for the RCE fee. A copy of the check and the Transmittal Form is attached hereto as Exhibit B.

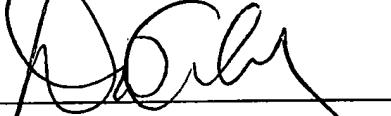
On October 26, 2004 Deposit Account No. 06-1130 was charged an additional \$770.00 for a Basic Filing Fee. A copy of the Deposit Account Statement dated October 27, 2004 is attached as Exhibit C.

In view of the foregoing Exhibits A, B and C evidencing of an overpayment in the amount of a filing fee, Applicant respectfully requests a refund in the amount of \$770.00 be credited to Deposit Account No. 06-1130.

Respectfully submitted,
CANTOR COLBURN LLP

Applicant's Attorneys

By:



David Arnold
Registration No: 48,894
Customer No. 23413

Address: 55 Griffin Road South, Bloomfield, Connecticut 06002
Telephone: (860) 286-2929
Fax: (860) 286-0115

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
41PR-7349

In Re Application Of: WHITEHEAD ET AL.

Serial No.

09/431,737

Filing Date

November 11, 1999

Examiner

Group Art Unit
2772

Invention: MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on
December 2, 1999

Date

Enclosed herewith for filing are the following:

- A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)
- An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.
- A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.
- An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.
- A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.
- Other (list):

Petition Rule 47(a) with attachments

Exhibit
A

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533)(Large Entity)

Docket No.
41PR-7349

In Re Application Of: WHITEHEAD ET AL.

204 110 21 21 10 24

Serial No. 09/431,737	Filing Date November 11, 1999	Examiner	Group Art Unit 2772
--------------------------	----------------------------------	----------	------------------------

Invention: MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

Completion of application fees as calculated below:

<input checked="" type="checkbox"/> Utility application filing fee	\$760.00
<input type="checkbox"/> Design application filing fee	
<input checked="" type="checkbox"/> Total number of independent claims = 2	
<input checked="" type="checkbox"/> Total number of claims = 11	
<input type="checkbox"/> Multiple dependent claims	
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath	\$130.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the invention	
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification	
<input type="checkbox"/> Fee for processing and retention of application	
Total completion of application fees	\$890.00

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.

One month Two months Three months Four months Five months

from: December 2, 1999
Date

until: June 2, 2000
Date

Total time extension fees \$1,360.00

Total fees due \$2,250.00

Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Large Entity)

Division: Docket No:
41PR-7349

In Re Application Of: WHITEHEAD ET AL.

201 DEC 21 2000 24

Serial No.	Filing Date	Examiner	Group Art Unit
09/431,737	November 11, 1999		2772
Invention: MAN MACHINE INTERFACE FOR POWER MANAGEMENT CONTROL SYSTEMS			

TO THE ASSISTANT COMMISSIONER FOR PATENTS:

Box Missing Parts

The fee of \$2,250 is to be paid as follows:

- A check in the amount of the fee is enclosed.
 The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No.
A duplicate copy of this sheet is enclosed.
 If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 06-1130
A duplicate copy of this sheet is enclosed.

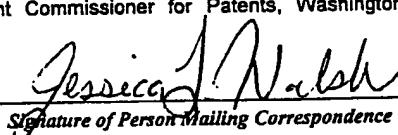


Signature

Dated: June 2, 2000

Leonard E. Heymond
Reg. No. 40,418
Cantor Colburn LLP
55 Griffin Road South
Bloomfield, CT 06002

I certify that this document and fee is being deposited on 6/2/00 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.



Signature of Person Mailing Correspondence

Jessica L. Walsh

Typed or Printed Name of Person Mailing Correspondence

CC:

GEN 96-1165B

Applicant: Whitehead et al.

Ser. No. 09/431,737

Filed: November 1, 1999

For: MAN MACHINE INTERFACE FOR POWER MANAGEMENT

CONTROL SYSTEMS

2001-06-21 11:30:24

Notice To File Missing Parts (1 page); Response (3 pages); Petition Under 37 CFR 1.47(a) (2 pages); Declaration (5 pages); Submission of Declaration (2 pages); Petition attachments (36 pages); filing fee - \$2250.00 - check

Mailed to the U.S. Patent and Trademark Office, Box Missing Parts via first class mail on June 2, 2000.

Received in the USPTO on:

GEN-96-1165A 100-119005714 1EB 1334B10
"02111" 100-119005714 1EB 1334B10

TRADEMARK OFFICE
COMMISSIONER OF PATENTS AND
TO THE
PAY TWO THOUSAND TWO HUNDRED FIFTY AND XX / 100 Dollars
AMOUNT
06/02/00 ***\$2,250.00

MAY 2000
APPROVED
HARRIS, CL 06955
WINDSOR, CT 06955
INTELLIGENTIA PROFESSIONAL ATTORNEYS
88 OAK HILL ROAD
51-57119
FLEET BANK, N.A.
CANTOR COLBURN LLP
21214

Security features. Details on back.

BEST AVAILABLE COPY

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

<i>Application Number</i>	09/431,737
<i>Filing Date</i>	November 1, 1999
<i>First Named Inventor</i>	Don Whitehead
<i>Art Unit</i>	2121
<i>Examiner Name</i>	T. Pham
<i>Attorney Docket Number</i>	41PR-7349/96-1165A

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

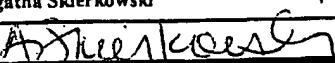
1. **Submission required under 37 CFR 1.114** Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such
- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.
 - i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
 - ii. Other _____
 - b. Enclosed
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement (IDS)
 - iv. Other _____
2. **Miscellaneous**
- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)
 - b. Other _____
3. **Fees** The RCE fee under 37 CFR 1.17(e) is required by 37 CFR 1.114 when the RCE is filed.
- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1130
 - i. RCE fee required under 37 CFR 1.17(e)
 - ii. Extension of time fee (37 CFR 1.136 and 1.17)
 - iii. Other _____
 - b. Check in the amount of \$ 750.00 enclosed
 - c. Payment by credit card (Form PTO-2038 enclosed)
- WARNING:** Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print / Type)	David Arnold	Registration No. (Attorney / Agent)	48,894
Signature		Date	June 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print / Type)	Agatha Skierkowska
Signature	

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

Exhibit

BEST AVAILABLE COPY

B

			DIVISION		
10/21	243	78502988	INE-0009-T	7001	\$335.00
10/21	464	10887227	API0006	8021	\$40.00
10/21	639	10495056	YOM-0087	8021	\$40.00
10/21	1389	78503607	SWR-0145-T	7001	\$1,005.00
10/22	4	09966692	YKI-0078	18025	\$790.00
10/22	5	10460743	P-024-1	1251	\$110.00
10/22	5	10968606	140962-1	1001	\$790.00
10/22	5	09966692	YKI-0078	1202	\$72.00
10/22	6	10968606	140962-1	1202	\$1,008.00
10/22	6	09966692	YKI-0078	1201	\$264.00
10/22	7	09966692	YKI-0078	1252	\$430.00
10/22	17	E-REPLENISHMENT		9203	-\$10,000.00
10/22	40	1285091	CCI-0014-T	8521	\$40.00
10/22	45	10964092	157041-1	8021	\$40.00
10/22	59	10324541	01016	1806	\$180.00
10/22	80	2213552	GER-0309-AN	8521	\$40.00
10/22	120	10968535	SUN-0062	2001	\$395.00
10/22	127	10965939	CAO-0612	8021	\$40.00
10/22	347	10511883	YPL-0108	2611	\$555.00
10/22	348	10511883	YPL-0108	8021	\$40.00
10/22	407	10858823	155361-1	8021	\$40.00
10/22	419	10511639	YOM-0121	1611	\$1,110.00
10/22	432	10493717	YOM-0085	8021	\$40.00
10/22	1014	78504228	CAO-0763-T	7001	\$335.00
10/25	1	10005457	KNA-0012	2251	\$55.00
10/25	1	10600171	YKI-0132	1253	\$980.00
10/25	1	6556495		1811	-\$100.00
10/25	2	10794012	GP-300644	1201	\$172.00
10/25	2	09550432	GEN-0183	1801	\$770.00
10/25	7	10362700	GRP-0037	2252	\$5.00
10/25	63	78504472	CAO-0565-T	7001	\$335.00
10/25	131	78504518	CAO-0534-T	7001	\$335.00
10/25	1365	78505225	KKS-0006-T	7001	\$335.00
10/26	1	10618163	YKI-0093-C	1253	\$980.00
10/26	2	09431737	Gen - 96-1165-A	1801	\$770.00
10/26	29	10269732	551239	2401	\$170.00
10/26	30	10269732	551239	2253	\$435.00
10/26	59	E-REPLENISHMENT		9203	-\$10,000.00
10/26	62	60621037	162817 (GEN-0419)	1005	\$160.00
10/26	64	60621039	162819 (GEN-0418)	1005	\$160.00
10/26	96	10971324	KOT-0124	1001	\$790.00
10/26	100	10971328	KOT-0123	1001	\$790.00
10/26	105	10971318	LEE-0010	1001	\$790.00
10/26	145	10895560	LNK-0081	8021	\$40.00
10/26	459	10512112	21C-0165	8021	\$20.00
10/27	7	10836516	04-CCS-001	1051	-\$130.00
10/27	8	10392056	FAO-0092	2253	\$475.00
10/27	8	10317909	KAW-0021	1251	\$110.00

BEST AVAILABLE COPY

Exhibit C

PTO/SB/39 (05-03)

Approved for use through 4/30/2003 OMB 0651-0031

U.S. Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**REQUEST
FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Address to:
Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Application Number	09/431,737
Filing Date	November 1, 1999
First Named Inventor	Don Whitehead
Art Unit	2121
Examiner Name	T. Pham
Attorney Docket Number	41PK-7349/96-116SA

This is a Request for Continued Examination (RCE) under 37 CFR 1.114 of the above-identified application. Request for Continued Examination (RCE) practice under 37 CFR 1.114 does not apply to any utility or plant application filed prior to June 8, 1995, or to any design application. See Instruction Sheet for RCEs (not to be submitted to the USPTO) on page 2.

1. Submission required under 37 CFR 1.114

Note: If the RCE is proper, any previously filed unentered and amendments enclosed with the RCE will be entered in the order in which they were filed unless applicant instructs otherwise. If applicant does not wish to have any previously filed unentered amendment(s) entered, applicant must request non-entry of such.

- a. Previously submitted. If a final Office action is outstanding, any amendments filed after the final Office action may be considered as a submission even if this box is not checked.

- i. Consider the arguments in the Appeal Brief or Reply Brief previously filed on _____
- ii. Other _____

b. Enclosed

- i. Amendment/Reply iii. Information Disclosure Statement (IDS)
- ii. Affidavit(s)/Declaration(s) iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-identified application is requested under 37 CFR 1.103(c) for a period of _____ months (Period of suspension shall not exceed 3 months; Fee under 37 CFR 1.17(l) required)

- b. Other/ None

3. Fees The RCE fee under 37 CFR 1.17(a) is required by 37 CFR 1.114 when the RCE is filed.

- a. The Director is hereby authorized to charge the following fees, or credit any overpayments, to Deposit Account No. 06-1130

- i. RCE fee required under 37 CFR 1.17(e)
ii. Extension of time fee (37 CFR 1.136 and 1.17)
iii. Other _____

- b. Check in the amount of \$ 750.00 enclosed

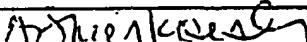
- c. Payment by credit card (Form PTO-2038 enclosed)
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	David Arnold	Registration No. (Attorney/Agent)	48,894
Signature		Date	June 16, 2003

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop RCE, Commissioner For Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the date shown below.

Name (Print/Type)	Agatha Skierkowski
Signature	
Date	June 16, 2003

This collection of information is required by 37 CFR 1.9. The information is required to obtain or retain a benefit by the public which is to the (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing the burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FILES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-8198 (1-800-786-8198) and select option 2.

Adjustment date: 01/26/2005 SDIRETA1
10/26/2004 CBARNES1 00000002 061130 09431737
01 FC:1801 770.00 CR

BEST AVAILABLE COPY

CANTOR COLBURN LLP

35911

VENDOR ID	PTO	NUMBER	35911	DATE	06/16/03
PAYEE	Commissioner of Patents and	MEMO	Account#		
INVOICE NUMBER	INVOICE DATE	INVOICE AMOUNT	PREVIOUS PAY/CREDIT	DISCOUNT TAKEN	AMOUNT OF PAYMENT
GEN-96-1165A					*****750.00
				TOTAL	*****750.00

CANTOR COLBURN LLP

INTELLECTUAL PROPERTY ATTORNEYS
55 GRIFFIN ROAD SOUTH
BLOOMFIELD, CT 06002

FLEET

35911

35911

51-57/119

***** Seven Hundred Fifty & 00/100 Dollars

DATE
06/16/03

AMOUNT
*****750.00

Commissioner of Patents and
Trademark Office
GEN-96-1165A


AUTHORIZED SIGNATURE

035911 0119005710 00168 13348

Security features. Details on back.

BEST AVAILABLE COPY